

(A4726)



HOUSING SELECTION POLICY

1. Definitions	4
2. Abbreviations.....	8
3. Introduction	9
3.1 Policy Intent	9
3.2 Legislative and Policy Framework.....	9
3.3 Overall Policy Principles	10
4. Housing Demand Database	12
4.1 Administration of the Housing Demand Database	12
4.2 Registration date assignment in the case of the dissolution or break up the household before approval of a housing subsidy.....	12
4.3 Data fields in the database.....	13
4.4 Collecting and updating household income information	14
4.5 Updating residential address.....	14
4.6 Supporting documentation for registration and updating	15
4.7 Supporting documentation required at time of selection	15
5. Allocation.....	19
5.1 National General Qualification Criteria for Housing Assistance	19
5.2 Greenfield Developments	19
6. Macro level considerations for IRDP and UISP projects	21
6.1. Balancing of people in overcrowded conditions and informal settlement dwellers across portfolio of projects.....	21
6.2. Co-ordinate beneficiary selection with the delivery of final subsidy products ...	21
6.3. Quotas for Priority Groups.....	22
6.4 Quotas for groups historically not registered due to geographic isolation	23
6.5. Catchment areas	24
6.6. All household entries selected in IRDP and for a final product in the UISP project must be registered on the provincial HDDB (with some exceptions)	25
7. IRDP projects.....	26
7.1. Noncontribution IRDP project components	26
7.1.1. Standard top structures: R0-3500	26
7.1.2 Medium density units: R0-R3500	28
7.1.3 Serviced sites: R0-R3500.....	29
7.1.4 Serviced sites R3500 – R 7500 subsidy band	30
7.2 Contribution based IRDP: R3501 - R22000 subsidy	31
7.2.1. Standard Top Structures: R3501 - R22000	31
7.2.2. Serviced sites: RX to R22000.....	33

8. UISP projects.....	34
8.1. UISP projects in which no relocation occurs	34
8.2. Relocation within a UISP project.....	35
8.2.1. Basic methods for selecting beneficiaries for relocation or remaining in an informal settlement	35
8.2.2. Certain methods used where there is difference in level of service between beneficiaries remaining on site and those relocated	35
9. Post-beneficiary selection processes	36
9.1. Tracing household entries on the preliminary beneficiary selection list.	36
9.2. Queries about beneficiary selection.....	36
9.3. Removal of entries from the preliminary list	37
9.4. Appealing beneficiary selection decisions.....	37
10 Emergency Assistance	38
10.1 Evictees	39
11 Informal settlements.....	40
12 Municipal Public Rental Stock.....	41
12.1 Unlawful Occupation of Council Rental Units	42
12.1.1 Administrative Procedures: Unlawful Occupant	43
13. Institutional Arrangements	44
13.1 National Department of Infrastructure	44
13.2 Provincial Department of Human Settlements	44
13.3 Human Settlements Portfolio Committee.....	44
13.4 Langeberg Municipal Council	44
13.5 Municipal Manager	44
13.6 Director Community Services.....	45
13.7 Housing Manager	45
13.8 Project Steering Committee/Social Compact	46
13.9 Database unit.....	46
13.10	Cont
ractor or Implementing Agents	47
13.11	Cha
nnel for queries about preliminary selection	47
13.12.....	Com
munication of the Policy.....	47

1. Definitions

Affordable housing project component: A project component providing subsidised opportunities to households by means of the Financed Linked Individual Subsidy Programme (FLISP).

Aged persons: means persons who are 60 years and older in terms of the South African Social Services Social Grant directives

Approved Subsidy: is confirmation that a person meets the requirements for a housing opportunity and may be considered for housing opportunity subject to final approval as beneficiary in terms of this policy.

Brown Field Project: Means the development of vacant or under-used land parcels within existing urban areas that are already largely developed.

Backyard Dweller: Is a person who is staying at the back of a formal registered property that is owned by someone else, which is defined as an extension in an Informal Settlement

Beneficiary: Member of the public who has completed a registration for assistance from the variety of housing options available through the National Housing Programmes, and whose details have been captured on the National Housing Needs Register.

Preliminary beneficiary: Is a person drawn from the municipal database by following the municipal beneficiary selection and allocation policy, prior to the checking of the eligibility of the households by the appropriate authority (usually the Department).

Catchment area: The geographic area surrounding a project town designated by the municipality for the purposes of selection. Each town has a catchment area inclusive of the town's area itself. Catchment areas are non-overlapping, two or more towns may have the same catchment area. All areas in the municipality will fall into a catchment area.

Core household: The minimum sized household eligible for a housing subsidy, depending on the age and marital status of applicant members of the household as prescribed by the National Housing Code.

Child Headed Household: Households headed by minors approved by the Department of Social Development, who are not competent to contract.

Disabled people: a person declared by a medical practitioner to be permanently disabled either physically or mentally in such that he/she receives a permanent disability grant.

Dependents: Biological child under or above the age of 18 years listed in a subsidy.

Farm resident: Is a Person whose ordinary residence is a farm, including a farm worker with ordinary residence on the farm.

Financial Dependents: Biological, adopted or grandchildren declared by the Department of Social Services to be financially dependent.

Formalised Settlement: Any Formalised area where town planning works has been undertaken, and there is an approved and registered general plan.

Greenfield, non-relocation project component: A project component occupying a Greenfield site on which there are no pre-existing, legal occupants, and for which the municipality has discretion to select beneficiaries, provided they are eligible for the subsidy.

Greenfield Project: Any Human Settlement Project managed by the municipality happening in a vacant piece of land.

Housing demand database: is a centralized provincial database portal created to store information collected from individuals and households required to select beneficiaries for housing subsidy projects within the municipality.

Housing Programs: Means the range of housing programmes provided for in the National Housing Code.

Housing Subsidy System: means the computerised system managed by the National Department of Human Settlements used by provincial Departments and municipalities to administer housing projects and subsidy applications.

Institutional housing component: A project component that uses the Institutional Housing Subsidy to provide "rent-to-buy" housing units.

Informal Settlements: Is an area where informal Housing structures have been constructed on land that occupants have no legal claim, occupy illegally, planned/unplanned settlement and areas where housing is not in compliance with current planning and building regulations

Infill/ Brown Field Housing Project: Means the development of vacant or under- used land parcels within existing urban areas that are already largely developed.

Location preference: A data field on the database indicating the area/location in which the individual or household prefers to reside.

Monthly Household income: Means the joint gross monthly income of the applicant in terms of section 4 of the Housing Act, No 107 of 1997, and /or his/her spouse/ partner.

National Housing Programme: Means the range of housing programmes as set out in the National Housing Code 2009.

National Qualifying Criteria: Means the criteria set out in the National Housing Code stipulating the requirements for applicants to qualify as beneficiaries for various housing opportunities.

Preliminary list of beneficiaries: List of households drawn from the municipal database by following the municipal selection policy, prior to the checking of the eligibility of the households by the appropriate authority (usually the Department).

Pre-screening: A rapid assessment of households' eligibility for housing subsidy programmes undertaken by the municipality itself and/or the Department upon submission by the municipality, prior to the assessment of subsidy applications by the Department. Pre-screening done by the Department excludes the checking of preliminary beneficiaries against the Deeds Office record, but includes the checking of ID numbers, marital status, whether applicant is deceased/date deceased, spouses maiden name, income and whether members of the selected households have received a housing subsidy. Pre-screening by the municipality may include checking selected database entries against the municipality's property register.

Project: A project is a government subsidised human settlement intervention that occurs on single site or set of related sites.

Project component: Each section of project that has a different mechanism for selection and allocation of beneficiaries.

Project Steering Committee: Means the project committee elected on the project specific targeted areas acts in an advisory role and facilitates communication between the municipality and the approved beneficiaries for the duration of the project.

Project town: A town in the municipal area, in which the municipality has decided to place subsidised housing projects.

Quota: A portion of the opportunities available in a project component reserved for households with particular characteristics.

Registration date ordering: The ordering of database entries (eligible for the subsidy in question) from earliest to latest registration date for the purposes of selection and allocation of beneficiaries for a project.

Relocation project component: A project component in which the beneficiaries are relocated from an informal settlement or part of an informal settlement to a Greenfield site.

The Department: The Western Cape Department of Human Settlements.

Town-based extract: The entries on the municipality's housing demand database resident within the catchment area of the town in question.

Updating: The process whereby individuals or households provide information about their status to the municipality in relation to the characteristics captured on the database for the purpose of updating their information on the database. It is the applicant's responsibility to keep their details up to date re residential address, marital status, income and contact number(s).

Verification: The process whereby the municipality checks that the claims made by individuals and households about their status when registering on the database or updating their status are true.

2. Abbreviations

OHS	(Western Cape) Department of Infrastructure OMV Department of Military Veterans
FLISP	Financed Linked Individual Subsidy Programme ID Identity
IRDP	Integrated Residential Development ISSP Informal Settlement Support Programme
HDDB	(Western Cape or municipal) Housing Demand Database HABPD Household(s) affected by permanent disability
HHBOP	Household (s) headed by older person(s) HHBOFR Households(s) headed by older farm resident(s) MV Military Veteran
ND	National Directive (of 2020)
NDHS	National Department of Human Settlements Sqm Square meters
PSC	Project Steering Committee
UISP	Upgrading of Informal Settlement Programme
X	stands for upper monthly household income level read off the Revised FLISP subsidy schedule at the cost of an Enhanced Serviced Site

3. Introduction

3.1 Policy Intent

The main objective of the policy is to set out the relevant processes and procedures that have to be followed when selecting beneficiaries for new housing projects that result in the beneficiary receiving ownership of a subsidised opportunity.

A single project site or set of sites can have a number of project components. Each of the components will be dealt with differently in terms of the selection of beneficiaries. The Policy covers the following project component types each with its own selection mechanisms:

- a) green-field, non-relocation project components for the households eligible for full housing subsidies or serviced site subsidies.
- b) relocation project components linked to informal settlement upgrade projects;
- c) institutional and housing project components that result in ownership (including "rent-to-buy" options)

The elements and mechanisms provided for below will be used in each component type as indicated.

3.2 Legislative and Policy Framework

The following legislation and policies inform the implementation of the Langeberg beneficiary selection and allocation policy:

- The Constitution of the Republic of South Africa 1996
- The National Housing Act No 107 of 1997
- The National Housing Code 2009
- Western Cape provincial framework policy for the selection of Housing beneficiaries in owner-based subsidy process.
- The Langeberg Human Settlements plan and,
- Integrated Development Plan

3.3 Overall Policy Principles

The following guiding principles are applicable to the policy:

Sustainability

Promotion of the establishment of socially and economically viable communities and safe and healthy conditions for human settlement while ensuring that residential developments do not impact adversely on the environment.

Fairness and Equity

Housing development shall promote equal access to opportunities as well as promote equity in respect of race, gender, religion and creed.

Integration

Integrating social, economic, institutional, physical and environmental issues in the development of sustainable human settlements whilst ensuring that new developments lead to the integration of urban and rural areas in support of one another

Affordability

Residential development shall be economically, fiscally, socially and financially affordable and sustainable and houses shall have a market value

Innovation and Choice

Promoting innovative responses that increase the availability of choice and variety to the consumer

Combating Urban Sprawl

Ensuring that new developments contribute to the compaction of towns and are contained within the urban fringes as defined in the Spatial Development Framework of the municipality

Community Participation

Ensuring that affected communities actively participate in the development process

Empowerment

Ensuring that development incorporates capacity building programmes that promote the utilisation of local skills and resources as well as the participation of previously disadvantaged communities

Habitability

Only suitable land for human occupation shall be considered for housing development

Proximity to Economic Opportunities

Land for housing shall be ideally located close to economic opportunities to lessen the transport cost for residents going to work

Environmentally friendly

Promoting the utilisation of environmentally friendly resources and designs that focus on energy

Nature Centered Development

Creating synergy between man-made and ecological systems through the continuation of green spaces in human settlements and the utilisation of environmentally friendly resources and designs that focus on energy saving

Human-Centered Development

Ensuring that the developmental needs and activities of people living in settlements are catered for and that opportunities for people to achieve their full potential through their own efforts are maximized

4. Housing Demand Database

4.1 Administration of the Housing Demand Database

A registration date will be given to each individual who completes the necessary documentation required to be entered onto the database, provided that the individual:

- Comply with the qualification criteria as set out in the policy.
- Must be 18 and older and legally capable to contract
- Is a SA citizen or has permanent residence in South Africa.
- No application forms will be completed, accepted and recorded without all supporting documents as stated in 4.6 of this policy.

The registration date is the date on which municipality accepts the documentation submitted for registration on the database as being complete. The municipality will communicate the registration date to the individual and provide him/her with documentary proof of that date. The registration date will remain constant until the individual receives an ownership-based housing opportunity.

4.2 Registration date assignment in the case of the dissolution or break up the household before approval of a housing subsidy.

In the case of a household consisting of at least two non-dependent adults, neither of which has been previously registered in the municipality, each of the individuals will receive the same registration date, when the household was originally registered. Should the household dissolve in the waiting period before a subsidy is awarded then each of the non-dependent individuals will be considered for any future housing project based on their own registration dates (and no longer as a single household).

In the waiting period, where a household is formed by two adults previously registered, the registration date of the individual registered earlier is taken as the registration date of the household. Should the household dissolve in the waiting period before selection, the registration dates prior to household formation will be used as the registration date of the adults. In cases where one of the two non-dependent adults in the household has not previously registered, the registration date of the individual is the date on which the household first registers as an entry of the **HDDB**, and that individual retains the first date of registration should the household dissolve in the waiting period, despite his/her partner/spouse having an earlier date of registration.

4.3 Data fields in the database

The municipality will populate at a minimum the following data field in its database for households with one or two adults in the household core:

- a) Applicants and Spouse personal details (name, surname, Identity number and date of birth)
- b) Registration date
- c) Residential address (according to standardised naming convention operational in the municipality)
- d) The names and ID numbers of all permanently disabled members in the household, where permanent disability is defined and determined by the South African Social Security Agency (SASSA).
- e) Number of dependents within the household, and their ID numbers gender and relationship.
- f) If a current farm resident provides address of farm, details of employer/farmer where applicable and period of residence on the farm
- g) Gross monthly income if employed or unemployment declaration and pensioners
- h) Marital status (Single, habitually Cohabiting, Married, Divorced and widower)
- i) Whether owns property or not
- j) Whether applicants want to apply for a mortgage and a FLISP subsidy
- k) Telephone/cell phone contact number
- l) Place/Town of preference
- m) Description of current accommodation
- n) Period residing in the municipality or Informal Settlement
- o) Disability Status
- p) Field for office use

4.4 Collecting and updating household income information

Households are responsible for keeping household income information updated on the HDDB.

Given the advent of the Revised FLISP and ability to access non-contribution opportunities through a FLISP subsidy, there is a risk that households with income between R3501 and X (refer to section 7.1.4 below) are excluded in selection for such opportunities should their income data be outdated.

Households with income above R3500 per month will be encouraged to provide accurate household income information and keep this information updated on the municipal HDDB.

The consequences for households of not disclosing income information and keeping the information up to date must be made clear by the municipality, i.e., a high possibility that the households who have not kept their income updated will be subject to unavoidable errors of exclusion in beneficiary selection. Where an applicant becomes

deceased, the spouse/partner must inform the municipality and request to be substituted as the applicant, and they will retain the original registration date.”

4.5 Updating residential address

Individuals and households registered on the municipal HDDB may update their residential address within the municipal area (following actual relocation of their domicile) on the HDDB at any time without notice and without any impact on their dates of registration, provided that requests to change occur at least 10 days before the database is used for selection. Applicants who move into a target selection area after a preliminary beneficiary list is extracted from the WCHDDB will not be considered for selection.”

4.6 Supporting documentation for registration and updating

The applicant must provide the following required documentation during registration and updating.

- Payslip for employed applicants or unemployment affidavit
- Certified copies of ID books (applicant and spouse)
- Certified copies of dependant's birth certificates
- Certified copy marriage, Divorced and death certificate
- Medical certificate for disabled and Vulnerable people
- Financial dependents (a letter from a registered social worker declaring dependency must be provided) Proof of residence from the farm owner must be provided

4.7 Supporting documentation required at time of selection

4.7.1 Documentary proof to verify claims by individuals/households about disability status and falling within the HABPD quota

The municipality will make use of the means of verification given in Table 1 to verify claims made by individual members of household entries on the HDDB that they have the relevant permanent disabilities to warrant prioritisation.

Table 1: Categories of Households Affected by Permanent Disability (HABPD) and sources of verification

Category of HABPD	Source of verification
Eligible household with at least one adult receiving both a SASSA Permanent Disability Grant (PDG) and a Grant in Aid (GIA) (according to SASSA's definition)	Original or certified copy of Permanent Disability Grant (PDG) and Grant-in-Aid (GIA) approval (document not older than 5 years) or latest confirmation letter from SASSA (document not older than 1 year). If the PDG approval or confirmation letter is separate from the GIA approval or confirmation letter, the recipient of each must be the same. The name and ID number of SASSA grant recipient (both PDG and GIA) must match the name and ID number of a member of the claimant household (as reflected in the entry on the HDDB).
household with an adult caregiver of a disabled child	Original or certified copy of Care Dependency Grant (COG) approval (document not older than 5 years) or confirmation permanent disabled child letter from SASSA (document not older than 1 year). The receiving SASSA Care names and ID numbers of the caregiver and child grant Dependency Grant (CDG) recipient must match the names and ID numbers of members where both adult and child of the claimant household (as reflected in the entry on the HDDB entry).
Eligible household with a member having a disability reflected on the "Medical Certificate in respect of disabled persons as required in the housing subsidy scheme of the Government of South Africa" Appendix 1 of the	SASSA documentary proof of the receipt of PDG (without GIA) – see above. Original copy of the Appendix 1 form (of the subsidy application form) completed by district surgeon or registered medical practitioner and indicating at least one of the listed disabilities. Form must be signed by the registered medical practitioner and the registration number with the relevant professional council provided. The form should bear the original stamp of the practice or health facility at which the district surgeon or registered medical practitioner is located.

4.7.2 Documentary proof to verify claims of farm residence status in regard to the HHBOFR quota

Evidence confirming the farm/s and its/their location/s on which the farm resident is/has been resident, and the length of residence will be collected.

Where the resident is a farmworker, the evidence should ideally include a letter from the employer/s indicating the location and length of residence and proof about the length of residence on farm. The following can be submitted as evidence:

- Letter(s) from the farmer on farm letterhead giving dates of residence, indicating all farm contact information and address
- Employment contracts with the farm's name/farmer, with dates of employment and address of the farm
- Payslips indicating farm's name/farmer, payment periods and address of the farm
- Rental invoices and other service charges, indicating rental periods and address of the farm
- Affidavit(s) provided by farmer(s), indicating the address of the farm and periods of residence
- Affidavit(s) by an acceptable authority present in the community, indicating address of the farm and periods of residence

4.8 Criteria for selection from the Housing Demand Database

- a) All persons who want to qualify for state financed housing must complete the standard application form to be registered on the Housing Demand Database.
- b) Only applicants who appear on the updated Housing Demand Database will be considered for any state subsidized housing assistance.
- c) Completed applications shall be lodged with the Housing Support and Demand Section officials who shall capture the information in the Housing Demand Database (Provincial and Council's).
- d) Registration dates are not transferable to other members of a household in any circumstance, especially in circumstances where the person on the database does not qualify for a government subsidy. No database transfers will be allowed except for spouse/partners but not down to children/grandchildren or any other persons.
- e) Financial dependents can only be used once for a subsidy application approval and the necessary supporting documentation (proof of adoption, affidavits if extended family financial dependent)

must be provided.

- f) Where a person is living with disability, supporting documentation must be provided (doctor/clinic certificate/report and a report from SASSA).
- g) The Housing Administration department will investigate each case in terms of age and disability status and submit a detail report on the circumstances for approval by Council.

5. Allocation

5.1 National General Qualification Criteria for Housing Assistance

In order to qualify for a housing subsidy, applicants must meet the criteria set out in the National Housing Code 2009. The applicant must meet the following:

- a) Earn a monthly income in the range as provided by the National Department of Human Settlements i.e. from R0 - R 3 500
- b) Lawfully reside in South Africa (as a citizen of the Republic of South Africa or in possession of a permanent residence permit).
- c) Be legally competent to contract i.e. over 18 years of age or legally married or legally divorced; single with dependents; single aged or disabled without dependents or declared competent by a court of law and sound of mind;
- d) Not have previously benefited from government housing assistance directly or indirectly through a spouse; and
- e) Have not owned fixed residential property

5.2 Greenfield Developments

Selection will be done based strictly on the active entries on the Housing Demand Database registration and the principle of "first come first serve basis" will be applied. Allocation of housing subsidies shall comply with the provision of the Housing Act, the Housing Code, the Provincial and Municipal Housing Policies and relevant national directives.

- a) Housing allocation shall be decided on a first come first serve basis (selected in order which they were registered on the database) subject to the provisions below:
- b) Applicants shall be selected solely from residents from within the Langeberg municipal area and that they have been resident in the area for not less than three (3) years

- c) The aged, people with disabilities, military veterans and child-headed households (as prescribed by the WCHD) shall be prioritised without unduly undermining the principle of "first come first serve"
- d) In a project 85% of the opportunities in the project component will be allocated to applicants on the waiting list residing in the project town including its wards.
- e) 5% of opportunities will be allocated to households in emergency as defined in the Policy.
- f) 5% of opportunities will be allocated to farm workers.
- g) 5% opportunities will be allocated to the disabled

6. Macro level considerations for IRDP and UISP projects

Six broad considerations will apply to the selection of beneficiaries in IRDP and UISP projects.

6.1 Balancing people in overcrowded conditions and informal settlement dwellers across portfolio of projects

For all project components, the number of people in formal overcrowded conditions and informal settlement dwellers receiving subsidised housing opportunities will be balanced proportionately against each other. The balancing across the two groups will occur over each successive 5-year period linked to the strategic planning cycle and over the portfolio of housing projects planned and executed in the municipality.

The balancing will seek to equalise the relative access each group enjoys to on-site, household-based municipal services. To equalise, the distribution of opportunities provided over the period across each of the two groups will be in proportion to number of households without access to on-site service within each group. The municipality will determine the level of service threshold for "acceptable access" to on-site, household-based services for people living in formal overcrowded conditions to enable this balancing.

Realistic delivery targets for each of the two broad categories and for the corresponding number and size of projects (and where necessary project components) will be set out in municipal plans (Integrated Development Plan (IDP), Human Settlement Plan (HSP)), and reported upon in the corresponding annual and multi-year reports.

6.2 Co-ordinate beneficiary selection with the delivery of final subsidy products

In an IRDP project, the selection of households as prospective beneficiaries will only occur at the time that final products for which beneficiaries are to be selected are being delivered. The number of HDSB entries finally selected in a delivery period must equal the number of final products being delivered in that period.

The rate at which final products are delivered will be determined in part by the annual Business Plan and the resources made available to finance the final product. delivery and in part by the actual delivery performance of the municipality. Final products include both top structures and Enhanced Serviced Sites.

In a UISP project, qualifying beneficiaries can only receive final products when they are delivered and UISP beneficiaries will only be ordered (using mechanisms provided for in this Policy) for the receipt of the final product when the product is being delivered and not substantially before. As in a IRDP project, the rate of final product delivery in a UISP project will be determined in part by the annual Business Plan and the resources made available to finance final product delivery in that UISP project and in part by the delivery performance of the municipality. Unlike an IRDP project, beneficiaries will be selected almost exclusively from household's residents in the geographic areas targeted for upgrade by the project.

6.3. Quotas for Priority Groups

The following quotas will be used in beneficiary selection in the IRDP project or in determining the order in which qualifying beneficiaries receive final subsidy products in UISP projects as prescribed in sections 2 and 3 below. The selection is subject to 5.1 and 5.2 above.

Table 2: Quotas covering ND priority groups and weight/size of quotas

Quota name	Size
Households affected by permanent disability (HABPD)	5%
Households headed by an older person (HHBOP)	15%

MVs will not be subject to selection via a quota at present. Should the number of MV qualifying for subsidy housing opportunities as reflected on the OMV list for the municipality increase significantly, a quota for MV will be introduced.

The minimum registration period for entries in the HHBOP quota is three years, the HABPD one year and the MV zero years.

6.4 Quotas for groups historically not registered due to geographic isolation

The following quota will be used in beneficiary selection in the IRDP project or in determining the order in which qualifying beneficiaries receive final subsidy products in UISP projects as prescribed below in sections 5 and 6 below.

Table 3: Quotas for groups historically not registered due to geographic isolation

Quota	Definition	Size
Households headed by older farm residents (HHBOFR) who are long-term farm residents	Households headed by older farm residents aged 55 years or older, resident on farms for a duration of at least 10 years out of the last 13 years (i.e., minimum duration of 10 years on farm but not sequential within limits)	5%

The minimum registration period for entries selected for the HHBOFR quota is 1 year.

(Note: This quota is only required if aged farm residents systematically have relatively late registration dates leading to their systematic exclusion. When applied to standard top structures, the mechanism is essentially a separate subgroup of the HHBOP quota. Given that standard structures are intended for HHBOP, if standard top structures continue to be supplied in a project and the project is large, households in the HHBOFR sub-priority group may eventually be selected for a top structure without HHBOFR specific quota. In the case of a large, long-running project, a specific quota essentially serves to speed up selection of the HHBOFR group – and if top structures are rationed over time in the projects, ensure some households in this group get top structure opportunities in the project before the supply of top structure is halted for the project).

Non-quota group

To adequately explain the mechanics of selection, it is necessary to refer to the group of opportunities in the project component which will not be selected using quotas. The relative size of the part of the project not selected using quotas, the non-quota group, is 100% minus sum of the quota sizes (which, by definition, is less than 100%) i.e., 70% of opportunities in the case of medium density project components on the basis of quota sizes given above.

6.5 Catchment areas

A project town is a town in the municipality in which human settlement projects are located. For each project town (or if the towns are very proximate to each other, collection of project towns), this Policy defines a catchment area clearly on a map of the municipality. Each catchment area is fixed overtime.

Catchment areas are non-overlapping. Two or more towns may have the same catchment area if towns are small. Every area in a municipality will fall within a catchment area.

Catchment areas will be used for all non-contribution IRDP project components and only be used in contribution-based project component if the municipality determines that the project is contested.

How catchment areas are used in beneficiary selection in an IRDP project component is indicated in Table 4 below.

Table 4: Possible types of project components in an IRDP project and the use of project catchment areas

Project component	Subsidy income bands (monthly household income)	Subsidy products	Financial contribution	Project catchment area applied
1	0-3500	Standard top structure	No	Yes
2	0-3500	Serviced site	No	Yes
3	0-3500	Medium Density	No	Yes
4	3501-22000	Top structure	Yes	No if contested
5	3501-X	Serviced site	No	Yes
6	X - 22000	Serviced site	Yes	No if contested

Catchment areas will in most cases not be used in beneficiary selection in UISP projects, as selection occurs via targeting informal settlements for upgrade. Catchment areas may only be used in the rare cases that contribution-based final products are supplied in a UISP project and sufficient numbers of households willing and able to make the financial contribution cannot be found in the informal settlements targeted for upgrade by the project to take up the number of units supplied.

6.5. All household entries selected in IRDP and for a final product in the UISP project must be registered on the provincial **HDDB** (with some exceptions)

The details of selected beneficiaries, except in the case of MV, UISP beneficiaries receiving communal services and beneficiaries of contribution-based project components where date of application (and not date of registration) is used (in the case where insufficient numbers of households registered on the HDDB application), must also appear on the Provincial HDDB.

7. IRDP projects

In an IRDP project, beneficiary selection occurs within each project component identified for the project. The method of selection per component type is detailed in sections 7.1 and 7.2 below. As indicated in section 13, the Executive Manager responsible for human settlements must determine for each IRDP project, the types of project components which will apply in the project and the number of opportunities within each component.

7.1. Noncontribution IRDP project components

7.1.1. Standard top structures: R0-3500

- a. Standard top structures are intended for households in priority groups in the R0-3500 subsidy income band. Only households indicating they are in the income range R0- 3500 will be selected for this project component.
- b. The Western Cape Department of Infrastructure will determine the number of top structures to be funded yearly in each approved IRDP project at the top structure implementation stage. This determination is part of the annual Business Planning process and is subject to available resources. The municipality will select beneficiaries for the available standard top structures each year. Only if the municipality does not have sufficient qualifying households on the HDDB meeting all selection conditions, will the municipality select households

outside of the priority group and only in the manner prescribed below.

- c. As the standard top structures are intended for priority group households only, quotasizes for the priority groups (could specify quota groups e.g., HABPD, HHBOP, HHBOFR 60 years of age only) will be rebalanced proportionately to sum to 100% and applied to the annual number of standard top structures approved for the project.

The application of the reweighted quotas to the project depends on how the number of top structures to be delivered in a year compares to the number of priority households available on the HDDB for selection in the project:

- i. If the number of standard top structures set in a year (see b) above) is greater than number of priority group households available qualifying for the subsidy, the following selection method will be used:

After applying the reweighted quotas and selecting households in registration date order within each reweighted quota, if one priority group falls short of households, the remaining opportunities will be assigned to the other priority groups remaining according to further proportional reweighting amongst the remaining priority group (summing to 100%). Remaining places are filled by the remaining priority households until no further qualifying priority households are available. Rebalancing / reweighting is required whenever a priority group falls short of households and there are available top structures (set for the year) unfilled.

If there is only one other group, the remaining positions goes first to the that other group until all qualifying households in that group are selected.)

After all available qualifying priority households are selected, the remaining places/opportunities will be filled through a process of controlled easing of the minimum age cut-off of 60 years for the HHBOP quota until all standard top structure opportunities are filled/selected for age-based prioritization.

- i. If the number of standard top structures set for the project in a year is less than the number of priority group households qualifying for the subsidy:

The reweighted quotas must be applied, selecting households in registration date order within each quota, with reallocation of top structure opportunities as indicated above if households in one or more quota groups are depleted before all top structures are selected for.

Given that the number of qualifying MVs on the DMV list for the municipality is very low, the municipality

has not set a quota for MVs. Standard top structures with the required specifications for MVs will be created for the qualifying MVs on the DMV list, and the MVs on the list will be assigned to those units. The selection of MVs is not covered in step c) and the top structures built to MV are excluded from selection processes provided for in step c).

- a. To be selected for a standard top structure all households, except for MV and HABPD (and HHBOFR), must be registered for at least 3 years on the HDDB. Entries selected via the HABPD and HHBOFR rebalanced quotas must be registered for one year.
- b. The catchment area which applies to the geographic location of the project will be used to select entries for all the opportunities in this project component.

7.1.2 Medium density units: RO-R3500

- a. It is expected that the number of medium density units will be limited i.e., the medium density unit project components will be limited in size. The application of this project component within a project will be informed by the Department's **"The guidelines for the density allowance for building of double story subsidy top structure units"** which is attached to Circular 3 of 2018 **"Enhancement of the ministerial norms and standards: new higher density housing typologies"**.
- b. The Department determines the number of medium density units to be funded yearly in each approved IRDP project at the top structure implementation stage. This determination is part of the annual Business Planning process and is subject to available resources.
- c. The municipality will select beneficiaries only for the medium density units for which funding is made available on a yearly basis.
- d. The municipality will first select the household entries in the non-priority group in the R0-3500 subsidy income band (i.e., non-quota group) by applying age-based prioritisation, including registration date ordering. The number of opportunities in the non-quota group is equal to total number of opportunities available in the year in the project component minus the total opportunities intended for priority groups and other quota groups for those units. The latter is determined by the applying quota proportions given in Tables 5 and 6 above (which indicate the number of units relative to the size of the project) to the medium density units available for the year. Age-based prioritisation will be applied with a **minimum age cut-off of 30 years** and, if necessary, **controlled easing using the age cut-off of 30 years**.
- e. The municipality will then apply all quotas listed in Tables 2 and 3 above (without the reweighting

described in 7.1.1 c) to the HDDB to select entries for this project component. Selection for each quota group will occur in registration date order.

- f. Selection for MV will be treated separately from d) and e). The number of MVs selected for the project component is limited by the number of qualifying individuals on the OMV list and the number of units in the project component developed at the required specification for MV in the project component. It may be that no MV units can be included in the medium density unit project component.
- g. The municipality will filter out the households selected which contain members who cannot access the second floor by surveying households selected prior to subsidy approval to gauge such ability.

Where households are filtered out, the municipality will select the next HDDB entry in registration date order within the relevant quota or non-quota group. If sufficient entries cannot be found within quota groups, the municipality will allocate opportunities to the non-quota group abiding by the rules of age-based prioritisation set for the project component, selecting entries in registration date order.

- h. Any household selected can opt out of the project component and be selected in future projects without penalty, prejudice, or privilege. Selection in future projects will occur through the normal, routine application of selection mechanisms provided for in this Policy.
- i. To be selected for standard top structures, all households, except for MV, and the HABPD and HHBOFR quotas, an entry must be registered for at least 3 years on the HDDB. Entries selected via the HABPD and HHBOFR quotas must be registered for one year.
- j. The catchment area which applies to the geographic location of the project will be used to select entries for all the opportunities in this project component. Refer to section 6.5 in this Policy.

7.1.3 Serviced sites: RO-R3500

- a. The Department determines the number of Serviced Sites to be funded yearly in each approved IRDP project at the implementation stage. This determination is part of the annual Business Planning process and is subject to available resources. The municipality will select beneficiaries for the available Serviced Sites each year based on the Business Plan and municipal delivery. The share of Enhanced Serviced Sites available in the year for the project will be allocated to this project component (for selection in the year) by the municipality based on its size relative to the size of the Noncontribution IRDP project component: Serviced sites R3500 - RX subsidy band (if the latter is set by the municipality as a component in the project) (see 7.1.4 below).

- b. HDDB entries indicating household income in the R0-3500 income band will be selected for the serviced sites available for the project component for the year in registration date order without the application of the age-based prioritisation and the application of quotas for priority groups.
- c. To be selected in the non-quota section, an entry must be registered for at least 3 years on the HDDB.
- d. The quota for HHBOFR (targeting household heads 55 years and older) will be applied to the serviced sites available in the year. The minimum registration period for entries selected via HHBOFR is one year.
- e. Any household selected can opt out of the project component for which they have been selected and be selected without penalty, prejudice, or favor in future projects (and their components). Selection for future projects occurs through the normal, routine application of selection mechanisms provided for in this Policy.
- f. The catchment area which applies to the geographic location of the project will be used to select entries for all the opportunities in this project component. Refer to section 6.5.

7.1.4 Serviced sites R3500–R7500 subsidy band

- a. The Department determines the number of Serviced Sites to be funded yearly in each approved IRDP project at the implementation stage. This determination is part of the annual Business Planning process and is subject to available resources. The municipality will select beneficiaries for the available Serviced Sites each year. The share of enhanced serviced site available in the year for the project will be allocated to this project component (for selection in the year) based on its size relative to the size of the Noncontribution IRDP project component: Serviced sites RO- R3500 (if the latter is set as a component in the project) (see 7.1.3 above).
- b. The municipality will calculate the value of X to determine the upper monthly household income level applicable for selection to this project component. To calculate X, the cost at the which the serviced site will be made available to the households must be determined. The value of the X household income is read off the prevailing FLISP subsidy quanta schedule at the service site cost.
- c. For the non-quota section of the project component, HDDB entries indicating monthly household income between R3501 and X on the HDDB will be selected in registration date

order without the application of the age-based prioritisation and the application of quotas for priority groups for available serviced sites.

- d. To be selected, an entry must i) indicate that its household income lies between R3501 and X, ii) indicate that it has a product preference for a serviced site and iii) be registered for at least 3 years on the HDDB.
- e. The only quota applicable in this component is HHBOFR, but only households with heads younger than 60 years will be selected i.e., between 55 and 59 years. Entries indicating, they are HHBOFR, with household income between R3501 and X and product preference for a serviced site will be selected, subject to verification.
- f. Any household selected can opt out of the project component for which they have been selected and be selected without penalty, prejudice, or privilege in future projects (and their components). Selection for future project occurs through the normal, routine application of selection mechanisms provided for in this Policy.
- g. The catchment area which applies to the geographic location of the project will be used to select entries for all the opportunities in this project component. Refer to section 6.5 in this Policy.

7.2 Contribution based IRDP: R3501 –R22000 subsidy

These project components will be selected using the effective demand mechanism, in terms of which beneficiary selection occurs through the FLISP subsidy application process and is managed by the municipality or the beneficiary administration agent. If the municipality does not market the opportunities, marketing agents will also play a role in the beneficiary selection process.

Marketing strategies will be adapted according to the level of proven effective demand for FLISP subsidy and the degree of contestation. Households which have sufficient effective demand to raise co-financing to obtain FLISP subsidy approval from the Department will be selected and approved.

7.2.1. Standard Top Structures: R3501 –R22000

- a. The municipality will assess the project context and determine whether the project component can be marketed across the whole municipality without geographic targeting or whether selection will be contested to the degree that geographic restrictions on selection will be required (i.e., whether a catchment area as defined in this Policy should be applied to select beneficiaries.)

- b. If selection for the project is **not contested** (by group/s from particular geographic areas), the following steps will be taken to select household entries:
- i. The municipality will ensure that the project component opportunities are marketed uniformly, and subsidy application process made accessible, across the whole municipal area.
 - ii. The municipality will set the first closure date for FLISP applications in consultation with the marketing and/or the beneficiary administration agent.
 - iii. The marketing/beneficiary administration agency will record the date and time of the receipt of each FLISP application.
 - iv. After the first closure date, the beneficiary administrator in consultation with the municipality will order the FLISP applications for processing. Applications from households recorded as HDDB entries will be ordered by the date of registration on the HDDB (A). Applications from households not recorded in entries on the HDDB will be ordered according to date on which the FLISP application was received (8).
 - v. Applications classified as A above will be sent in registration date order for approval processing by the Department. Should opportunities remain in the project component after all applications in A have been processed, applications in B will be processed in application date order. Beneficiary selection terminates as soon as all opportunities are filled.
 - vi. If opportunities remain after step v), a second application closure date will be set, and step iv) and v) repeated for the new applications.

If selection is contested, the process in b) will apply, except that:

- i. The municipality and marketing/beneficiary administration agency will clearly communicate to the citizenry as part of the marketing of the project, that household's resident in the catchment area (as defined in section 6.5) in which the project is relocated will be prioritised in the selection process.
- ii. After the first date of application has closed, the beneficiary administrator will order the application in similar way as described in b) iv except that prior to classifying and ordering into A and 8, the applications will be classified according to whether the applicant household resides in the catchment area in which project is located (C) or outside the catchment area (D). The applications will be sent for approval processing by the Department in the following order CA, CB, DA and DB. As in

b) iv, groups with A type applicants will be processed in registration date order and those with B type applicants processed in date of application.

iii. If opportunities remain after processes laid out in ii above have been completed, a second application closure date will be set, and the process for second round will occur as described in b). Prioritisation of households resident in the catchment **of the project will not occur in the second round**, and the municipality and market/beneficiary administration agency will clearly communicate that difference for the second round of applications in the marketing of the project.

7.2.2. Serviced sites: RX to R22000

The same process as laid out in 7.2.1 a), b) and c) above will apply, except that **only households with income between X and R22 000** will be considered for contribution based serviced sites.

The municipality will calculate the value of X to determine the lower monthly household income level applicable for selection to this project component. To calculate X, the cost at which the serviced site will be made available to the households must be determined. The value of the X income is read off the prevailing FLISP subsidy quanta schedule at the service site cost.

8. UISP projects

8.1 UISP projects in which no relocation occurs

In a UISP project, the selection of households for final subsidy products in an upgrade project (which are delivered in stages 3 and 4 of the upgrade process), will occur according to the mechanisms laid out for the project component types, in section 7 above, as relevant to the upgrade project.

To determine which project component types (from Table 4) are applicable to an upgrade project and their size, **a survey or enumeration of households in the informal settlements targeted by the project for upgrade** will be undertaken as close to the date of the start of stages 3 and 4 as possible.

Using the enumeration of households as a basis, the municipality will determine the project components to be included and the size of each project component. Project components must be set to accommodate all resident households in the upgrade area and provide households with the products for which they qualify. Final products will be supplied to UISP beneficiaries at a rate determined by the annual budget available for the project and the annual Business Plan.

Households selected for components as final products are made available will be drawn exclusively from the households resident in the informal area targeted for upgrade, and **registration date will be used to determine the order in which households will receive final products within the component.**

Households outside of the informal settlement/s targeted for upgrade by the project will be only selected for the project in cases where the sizes of the project components are miscalculated/mis-estimated, and there is an oversupply of final products in relation to the household composition of the informal settlement/s. In contribution-based project components in upgrade projects, if the opportunities supplied for those components cannot be filled by household's resident in the areas targeted for upgrade by the project, the selection mechanisms/methods provided in sections 6.2 will be applied.

Households which do not qualify for a subsidy product or cannot make the necessary financial contribution will be provided with access to communal/shared services as a minimum. No specific selection mechanism is prescribed for final shared services. Such services should be as evenly distributed spatially across shared services areas in the upgraded area as practically possible.

8.2 Relocation within a UISP project

Permanent relocation within a UISP project is necessary to allow for the provision of services, rights of way and the designation of individual plots on the site of the upgrade project. If relocation is required, the municipality will need to select households to either remain on the site or move off the site. After the latter relocation selection has occurred, selection for final products as laid out in section 8.1 will occur.

8.2.1 Basic methods for selecting beneficiaries for relocation or remaining in an informal settlement

The municipality will use one of five methods or some combination of them for identifying households for either relocation or remaining in an informal settlement which is targeted for upgrade and where household must be permanently moved:

- a. selection ordering according to the duration of residence in the informal settlement and/or maybe age of the head of household
- b. selection according to ordering by the registration date of households on the municipal HDDB of households in the informal settlement
- c. selection according to the relative location of household to public infrastructure, facilities and rights of way planned for informal settlement upgrade

- d. selection by households volunteering to be relocated
- e. randomised selection

8.2.2 Certain methods used where there is difference in level of service between beneficiaries remaining on site and those relocated

In a relocation situation, where there is a significant time difference between when those households remaining on the upgraded site and those being relocated will receive housing opportunities, the municipality will try to use methods a) and b) or a combination of them to select households. Households who have been residing for the longest period in the informal settlement or have the earliest registration dates on the HDDB will be selected for the project situation which is most advantageous regarding the delivery of subsidy products available in the project.

The provisions contained in 8.2.1 will be applied to both the households relocating and those remaining *in situ* on the site of informal settlement depending on the timing of final housing product delivery across all the sites involved.

9. Post-beneficiary selection processes

9.1 Tracing household entries on the preliminary beneficiary selection list

The municipality will take measures to notify household entries selected and placed on the preliminary list to approach the municipality to complete subsidy application forms. The following measures will be taken:

- 2 letters of notice will be sent/hand delivered to the entries selected at intervals, subject to reply or completion of application form
- Notifications will be published in the local press for 3 weeks and announced on local radio
- Notices which include the name and current residential suburb of non-dependent adults in the household selected on preliminary basis will be posted at municipal offices in the catchment area of the project
- Announcements regarding preliminary selection and the need to complete subsidy application forms will be made at community meetings held in the catchment area for the project. A contact number, especially a cellphone number, is compulsory and applicants could be sent an sms.

If non-dependent adult members of a selected household do not complete the subsidy application form within 6 weeks of the first letter of notification being sent, the entry will be removed from the preliminary list and replaced by another HDDB entry according to the same selection mechanisms used to select the original entry.

A similar tracing process will be used to notify approved entries to take occupation of the units following subsidy approval.

9.2 Queries about beneficiary selection

During the tracing period, members of the public may query the inclusion (or exclusion) of entries on the preliminary list. Queries can be made at community meetings or to ward committees or councilors. Verbal queries will be responded to by officials at various meetings as appropriate.

Queries can also be submitted in writing to the municipality regarding information conveyed in correspondence and notices listed in section 13.12 Responses to written queries will be provided in writing within 3 weeks of receipt of the query.

All queries and official responses to them should be officially recorded as minutes of meetings or as correspondence.

9.3 Removal of entries from the preliminary list

An entry will only be removed from the preliminary list under four circumstances, subject to authorisation by the Executive Manager:

- a. If the selected household cannot be located to complete subsidy application forms subject to 13.12
- b. If a selected household decides to opt out of the project component. The household must indicate this desire in writing to the municipality, the written request must be acknowledged by the municipality and retained for auditing purposes.
- c. In the case of selection for medium density housing component, the municipality has determined that at least one member of the selected household is unable to access the second floor. To determine whether households should be filtered out, the municipality should conduct a simple questionnaire-based survey of all households selected for the medium density housing component. When reviewing the survey findings, the municipality must correlate survey responses with any disability disclosed during the registration or updating by the selected household entries. In addition, the registration form must include a question about the ability of household members to ascend and descend the flight of stairs between two floors unassisted, and survey results must be correlated against responses provided at registration.
- d. If the values or status claimed by the selected household for the indicators used to select households are proved false or not valid based on objective evidence as defined in this Policy. Counterclaims made by members of the public must be verified by official documents if used as a reason to remove an entry from the preliminary list. Councillors or representatives of households or beneficiary groups will play no role in determining whether counter claims are valid, and any allegations of falsehood are correct, and removing entries from the preliminary list. The municipal administration will record in writing the reasons for the removal of any entry from a preliminary list.

9.4. Appealing beneficiary selection decisions

Any appeal in relation to a selection decision for ownership-based opportunities within the municipality must be directed to the municipal manager in terms of section 62 of the Local Government: Municipal Systems Act, 2000.

Appeals should take the form of a written notice from the member of the public, giving reasons, within 21 days of the date of the notification of the selection decision.

10. Emergency Assistance

An emergency exists when the Municipality, after application by the affected persons on the prescribed form, has confirmed that the persons affected qualify as a beneficiary.

Where such a beneficiary has become:

- a) Destitute and homeless as a result of a declared state of disaster, where assistance is required, including cases where initial remedial measures have been taken in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002) by government, to alleviate the immediate crisis situation;
- b) destitute and homeless as a result of a situation which is not declared as a disaster, but destitution is caused by extraordinary occurrences such as floods, strong winds, severe rainstorms and/or hail, snow, devastating fires, earthquakes and/or sinkholes or large disastrous industrial incidents;
- c) Or live in professionally declared dangerous conditions such as on land being prone to dangerous flooding, or land which is dolomitic, undermined at shallow depth, or prone to sinkholes.
- d) Or live in the way of engineering services or proposed services such for water, sewerage, power, roads or railways, or in reserves established for any such purposes;
- e) Or are legally evicted or threatened with imminent eviction in accordance with a final eviction order from a competent Court from land or from unsafe buildings, or are in unsafe situations where based on professional advice warrants pro-active steps ought to be taken to forestall such consequences;
- f) Or whose homes are demolished, or who are in situations where proactive steps ought to be taken to forestall such consequences;
- g) Or are displaced or threatened with imminent displacements as a result of a state of civil conflict or unrest, or are in situations where pro-active steps ought to be taken to forestall such consequences;
- h) Or live in professionally declared conditions that pose immediate threats to life, health and safety and require emergency assistance;
- i) "Evictees" – person or persons evicted from private or public land that will become homeless due to a court granting a final eviction order.

10. Evictees

Council will give priority to evictees as described in section 5 e) and i) subject to meeting the qualifying criteria's as set out in section 3 and 4 of this policy. Furthermore, assistance is subjected to available opportunities in the various programs as set out in this policy.

11. Informal settlements

Council will only recognize informal settlements that existed in its municipal area before the adoption of this policy or where the court did not grant a court interdict for eviction of illegal occupants. Council will only consider in-situ upgrading of an existing informal settlement if:

- j) It is recognized as an existing informal settlement.
- k) It is a priority identified in the Integrated Development Plan (IDP) of the Municipality.
- l) It conforms to the Housing Sector Plan and the Spatial Development Framework (SDF) of the Municipality.
- m) It will create habitable sustainable human settlements.
- n) It is in the interest of those staying in the area as well as the rest of the community.
- o) It conforms to the general principles outlined in the policy.

12 Municipal Public Rental Stock

The objectives of this is to provide rental accommodation to the citizens of Langeberg and eliminate unfair discriminatory practices if any exist, promote and apply the principle of fair administrative justice and Ensure that each and every pre-allocation step of the administrative and procedural actions is complied with. All prospective tenants must qualify in terms of the following eligibility criteria:

- a) Allocations shall be made strictly on the basis of the earliest date on the waiting lists; (first come first serve)
- b) Must be a South African citizen with a valid identity document or have a permanent residency document.
- c) Must have the capacity to contract.
- d) Must have an active status registered application captured on the housing demand database.

- e) Must not be current registered property owner/s at the time of allocation.
- f) In cases of a need for emergency housing arising Manager: Housing Administration can accommodate families as a matter of priority. This needs to be done after submitting an urgent report and its approval by the Mayoral Committee.
- g) The name of the applicant who has been successful with an allocation will be updated on the waiting list database as assisted.
- h) The approved applicant shall sign a lease agreement with the Municipality and the rental fee in terms of the tariffs for that particular financial year will be applicable.
- i) Upon the death of a legal occupant, a rental contract must be entered into with the surviving family member/s who at the time of death were residing in that specific unit.
- j) In the case of the death of a legal occupant where no surviving family members resides with the legal occupant at the time of death, the unit will be allocated to the next person on the waiting list.
- k) Where a person is in possession of a rental Unit and still has other residential property, the Council will forthright take the rental unit and reallocate it from the waiting list (one person one property).
- l) Where a tenant signs off his/her rental unit for whatever reason, all his/her belongings and people or dependents must vacate the unit.

12.1 Unlawful Occupation of Council Rental Units.

An unlawful occupant is a person who:

- a) has moved into a vacant municipal rental unit without Council's authorization, or
- b) has forced the legal tenant out of a municipal rental unit or
- c) has been left behind by a vacating tenant or when the tenant dies and is not a family member of the original household (includes families living in backyard structures).

Children of former tenants who move into their parents' municipal rental unit will not be considered unlawful provided that:

- a) They can show that they have lived in the municipal rental unit for a period of not less than 24 months (uninterrupted) prior to the termination of the tenancy.
- b) They can prove that their absence from the Unit was due to economic reasons and they are actively contributing to the livelihood of the tenant (working out of town)
- c) They are not in occupation of another Council owned dwelling

Doubtful cases will be referred to the Housing Portfolio Committee for adjudication after an inspection was undertaken and a report was tables to the Manager.

- In dealing with unlawful occupants, Council will ensure that the rights of the occupants are not undermined.
- Unlawful occupants will be dealt with in terms of set administrative procedures.
- Council will not consider any illegal occupant for legalization provided the court of law dictates otherwise: In such an instance the Manager of Housing will set an eligibility criterion for legalization.

12.1.1 Administrative Procedures: Unlawful Occupant

A home visit must immediately be conducted after a report is received or it is suspected for any reason that there is an unlawful occupant in occupation to establish the following:

- a) Date the tenant vacated or died
- b) That persons who are members of the tenant's household and who may have claim to the tenancy are no longer in the dwelling.
- c) Ascertain the date unlawful occupant moved into the dwelling.
- d) The unlawful occupant / s details are checked and any special circumstances pertaining to the occupant / s noted (e.g. invalids, terminally ill persons, healthstricken, pregnant persons, wheelchair-bound persons, whether the household is headed by a woman, whether there are minor children, elderly, whether they are employed, etc.)
- e) At the interview, the unlawful occupant must be advised about his/her rights as well as the implications of the illegal occupancy.
- f) The unlawful occupant will be given a maximum of 14 days, after the 14 days' notice period a process of meaningful engagement will be followed to discuss options.
- g) Where no agreement can be reach with the unlawful occupant or all alternatives has been explored and eviction is the only option, Council's attorneys will be instructed to institute the required proceedings for the eviction.
- h) Mayoral committee will be informed about eviction action taken against families through Member of the Mayoral Committee Member responsible for Housing

13. Institutional Arrangements

The responsibilities laid out below pertain to all project component types, except where indicated.

13.1 National Department of Infrastructure

The NDHS is responsible for administering the HSS and National Housing Demand Database; and
The NDHS may appoint external auditors to investigate a particular allocation process.

13.2 Provincial Department of Human Settlements

The Provincial Department of Human Settlements approve housing subsidy applications; The Department shall also provide the Municipality with the necessary support until the Municipality is granted full access to the HSS as part of the Assignment Agreement. The Department shall provide and maintain the Western Cape Housing Demand Database portal on which the municipality is responsible for and administers is housing waiting dataset.

13.3 Human Settlements Portfolio Committee

The Portfolio Committee monitors the implementation of the policy.

13.4 Langeberg Municipal Council

The Council is responsible for: Adopting and reviewing, by resolution, the municipality's Housing Beneficiary Selection and Allocation Policy; and monitoring the implementation of the Housing Beneficiary Selection Policy.

13.5 Municipal Manager

The role of the municipal manager is to ensure that the housing beneficiary selection and allocation policy is implemented successfully

13.6 Director Community Services

The Director Community Services is the executive manager for housing- Section 56 appointment (made in terms of the Municipal Systems Act) responsible for housing. He/she has the following roles:

- 13.6.1** Issuing written instructions to the Housing section about how the Housing Beneficiary Selection and Allocation Policy will be implemented for each project component.
- 13.6.2** Ensuring that the Housing Beneficiary Selection and Allocation Policy is being implemented in each project component by giving instruction to the Housing Manager on how the Housing Beneficiary Selection and Allocation Policy should be implemented in each project component, vetting such information before deciding.
- 13.6.3** Reporting to the Council on a quarterly basis on how beneficiary selection and allocation process occurred within the affected housing projects

13.7 Housing Manager

The Housing Manager has the following general roles:

- 13.7.1** Generally, ensure that all processes required for selection and allocation in the project component as laid out in policy occur.
- 13.7.2** Submit other information about the project to the Director Community Services as deemed necessary by the latter to enable decision-making.
- 13.7.3** Establish the Project Steering Committee, where applicable.
- 13.7.4** With his/her support staff, manage the process of public comments on preliminary lists, deal with queries directed toward him/her, where possible by referring any queries to the appropriate officials, and informing members of the public about the responses.
- 13.7.5** Obtain information from database operator about subsidy applications to keep track on the status of entries on the database. Manage the municipality's housing waiting list on the WCHDDDB portal.

13.8 Project Steering Committee/Social Compact

The Steering Committee/Social Compact will only be directly involved in the selection of beneficiaries and allocation of housing in relocation project components. For relocation project components, the Steering Committee will develop recommendations for how selection and allocation within the relocation project will occur and submit these to the Housing Manager who will in turn make a recommendation to the Director Community Services on beneficiary selection guidelines but not discuss or deliberate on individual potential beneficiaries.

For relocation project components, the municipality will establish the Steering Committee/Social Compact by placing an advert in the local community newspapers and municipal offices calling on interested parties to be part of the establishment of a Project Steering Committee/Social Compact. The Steering Committee/Social Compact will be elected at a public meeting called by the municipality and will comprise representatives from the following stakeholders:

- 13.8.1** Officials from the municipality including the Human Settlements Manager for the project concerned.
- 13.8.2** Representatives from the catchment area and project site
- 13.8.3** Councilors, both ward and proportional representation councillors.
- 13.8.4** Project consultants.

13.9 Database unit

The housing officials in the Towns are responsible for managing the Housing Demand Database. The role of these officials is to

- 13.9.1** Process forms from individuals and households for entry onto the database
- 13.9.2** Verify and update information
- 13.9.3** Store the information contained in the forms securely.
- 13.9.4** Apply the Housing Beneficiary Selection and Allocation Policy to the database to select beneficiaries for the project by order of the Director Community Services.

- 13.9.5** Answer formal queries in writing about any preliminary selection lists that may be referred by the Housing Manager, and make these answers available to the Housing Manager
- 13.9.6** Keep track of the status of entries on the database, including whether and when database entries have received a subsidy, and the location of the subsidy property.
- 13.9.7** Preserve and file all preliminary lists, before and after pre-screening, and all written instructions from the Director Development Services about how entries should be drawn off the database for a particular project (and project component).

13.10 Contractor or Implementing Agents

Contractors or implementing agents will play no role in the selection, except, at the request of the municipality, to contact individuals or households who have been selected in any preliminary selection and allocation process. They shall be responsible to provide the Database Unit with signed final handover lists for the Database Unit to record the details on the WCHDDDB and mark beneficiaries as Assisted

13.11 Channel for queries about preliminary selection

After the municipality has undertaken pre-screening of the preliminary list and before the submission of the successful entries on the list to the Department for his approval, the municipality will post the list for public comment. The details of selected beneficiaries must also appear on the Provincial Department of Human Settlement's Housing Demand Database. The list will be posted for a period of 2 weeks. The municipality will have 3 weeks to respond to the queries raised by the public.

13.12 Communication of the Policy

The municipality will communicate the Housing Beneficiary Selection and Allocation Policy to the residents of the municipality at least twice per year via publishing information in local newspapers and the notice boards of public buildings. Each housing office will display information explaining the policy.

The full policy will be available on request for reading in all municipal buildings in which the officials of the municipality interact with the public in a face-to-face manner. The responsibilities of the residents to register and update information will be made clear, and the consequences of not fulfilling these responsibilities will be explained.

Policy owner	Director Community Services
Policy adopted by Council	
Policy implementation date	
Policy responsibility for implementation	Manager: Human Settlement Administration
Council resolution number	

Tabled to Council on 31 March 2026.